

Naples City Council

July 28, 2011

Minutes

The regularly scheduled meeting of the Naples City Council was held July 28, 2011, 7:35 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen, and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Vance King, Robert Roth, Johnny Hacking, Jim Harper, Connie Patton, Chris Hoem, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Robert Hall offered the invocation.

OPENING CEREMONY

Councilman Kenneth Reynolds **moved** to approve the agenda as presented. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of July 14, 2011. Councilman Dennis Long pointed out a typo error on page five of the minutes regarding the size of drainage pipe on 1900 South. Dennis Long **moved** to approve the minutes of July 14, 2011 with the correction. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked about any follow up matters from the July 14th meeting. Councilman Olsen asked Jim Harper about the strapping for the culvert on 2000 South. Jim said they have the items ready to go as soon as they get the okay. Councilman Olsen stated the water should be out of the ditch by Monday.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Councilman Kitchen asked about the drainage proposal for 1900 South. Mayor Baker said they will be meeting with the Engineer and with Neil Cathey on Wednesday at 7:00 a.m. for anyone that would like to attend.

Connie Patton presented the bills in the amount of \$35,737.76 and asked for approval to pay them. Councilman Long inquired about the health insurance bill. Connie said the amount owing is the monthly premium. Dennis Long **moved** to accept the amount of \$35,737.76 for payment of the bills. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

APPROVAL OF THE BILLS

Rachelle Palmer presented a travel request in the amount of \$430.20 to attend the summer Prosecutor's conference. Robert Hall **moved** to approve the amount of \$430.20 for the travel. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***TRAVEL APPROVAL FOR
P R O S E C U T I N G
ATTORNEY***

Vance King presented a change order request to the Council for the 2500 South project. Mr. King explained that CO.3 was to install vinyl fencing at Dr. Anderson's property for fence that was either damaged or removed in the installation of the underground utility lines. The change order request was for \$5,830. Councilman Kitchen wanted to know why the cost was not anticipated with this type of construction. Mr. King said he believed it is because the contract for the underground utilities happened in such a quick manner. He believes that Rocky Mountain Power assumed the City would cover the cost of those repairs. Mr. King said the fence was disturbed in several places and the contractor would like to replace those sections with a fence that can be easily removed in case there is ever a need to repair the line. Robert Hall **moved** to approve the change order for the fence and also allow an additional three days onto the contract. Dan Olsen **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
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***CHANGE ORDERS FOR
2500 SOUTH ROAD
PROJECT***

Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Vance King submitted draw request #9 on the irrigation portion of 2500 South. Mr. King said the contractor asked that the retainage percentage for the irrigation portion of the project be reduced to 1.5%. Mr. King said this is allowable by the contract when a majority of the project has been completed. The requested amount was \$28,375.65. Robert Hall **moved** to approve draw #9 in the amount of \$28,375.65. Dan Olsen **seconded** the motion. The motion passed with the following vote:

***DRAW REQUEST #9 FOR
2500 SOUTH IRRIGATION
PROJECT***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Vance King presented draw request #4 for the 2500 South road project in the amount of \$447,125.07. Mr. King said this is for work completed to date on the road portion of 2500 South. Gordon Kitchen **moved** to approve draw request #4 with the amount printed. Dennis Long **seconded** the motion. The motion passed with the following roll call:

***DRAW REQUEST #4 FOR
2500 SOUTH ROAD
PROJECT***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Nikki Kay asked the Council to adopt a notice of exemption for the CDBG self-help housing grant. The Council agreed that the City meets the guidelines for exemption in that the City does not have a specific site for the housing projects, the self-help housing is not part of an overall plan to buy up land, the City will not use condemnation or eminent domain to obtain any of the land for the self-help housing program, and the City will follow the fair market value guidelines and notifications for the purchase of any land. Dan Olsen **moved** to adopt the notice of exemption for the CDBG self-help housing grant. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

***ADOPT NOTICE OF
EXEMPTION FOR CDBG
SELF-HELP HOUSING
GRANT***

Dennis Long **moved** to approve the contracts for the CDBG self-help housing grant and to authorize the Mayor to sign the contracts. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***APPROVAL TO SIGN
CONTRACTS FOR CDBG
SELF-HELP HOUSING
GRANT***

Dennis Long **moved** to approve the expenditure of up to \$1,000 for lot appraisals for the CDBG self-help housing project. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***APPROVAL TO EXPEND
FUNDS FOR LOT
APPRAISALS***

Council members received a request to release the surety bond of Halliburton Services for the 2000 South road. Jim Harper said he inspected the road and it looks good. Dennis Long **moved** to release the money. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***APPROVAL TO RELEASE
SURETY BOND FOR
HALLIBURTON ROAD***

Chris Hoem updated the Council on the submitted request for a revision of the development phases in Pheasant Run Subdivision. Chris said the Planning Commission reviewed the changes and approved them. Chris said that City Attorney Dennis Judd and Dave Hatch with Ashley Valley Water & Sewer have also reviewed the changes and approved them. Chris said it was overlooked that Pheasant Run Subdivision would need to have an improvement assurance bond for the 750 East infrastructure for the utility hook ups on the ten lots along 750 East. Chris said this is separate from the property bond that deals with just the basic road. Chris said they will need to have both. Chris said he would like to have the changes to Phase 1A approved but told the Council that the plat will not be signed by Dennis Judd or Dave Hatch until Mr. Hatch receives the plans for the sewer and water and Mr. Judd makes sure the bond for the infrastructure is in place. Councilman Hall wanted to know if the developers for Pheasant Run are aware of this change. Chris said they are

***REVISION OF PHASE
DEVELOPMENT FOR
PHEASANT RUN***

and they are okay with it. Councilman Kitchen wanted to know if Phase 1A is the road connecting into High Country. Chris said it is. Councilman Kitchen wanted to know if the developers want to develop along 750 East. Chris said not until the bond for the infrastructure is in place and recorded. Councilman Hall wanted to know if the Council could wait to approve the change until everything is in place. Chris said the Council could approve it now if they wanted to because the plat will not be recorded until Dave Hatch and Dennis Judd sign, stating everything is okay. Mayor Baker wanted to know if Chris had spoken with Dennis Judd after he received the letter from the Pheasant Run representatives. Chris said he had not. At this point Council members chose not to take any action on the matter. Gordon Kitchen **moved** to table items thirteen and fourteen (approval of escrow agreement for 750 East) on the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Jim Harper approached the Council seeking approval to upgrade the small skid steer loader. Jim said the loader has worked okay for them but they are having problems with the warranty work on it. Mayor Baker wanted to know if the new snowplow will work on the new skid-steer. Jim said the motor and cab enclosure will be larger but other than that it will be the same. Councilman Hall wanted to know if the purchase was in the budget. Jim said he did budget for this but the price is higher than anticipated. Councilman Hall wanted to know if the reputation for the newer model is better than the S70. Jim said tests prove it is more reliable. Jim said he put \$5,500 in the budget for the upgraded skid-steer and he would like the one with the 2-speed. He thought he would have enough money in the budget under bobcat repairs for the additional amount. Kenneth Reynolds **moved** to approve \$7,693 if Jim has funds in the budget. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***SKID STEER LOADER
UPGRADE AND
ATTACHMENT PURCHASE***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper asked the Council about purchasing a mower attachment for the bob cat. Jim said they have a large amount of weeds this year. He explained that the current

mower attachment can do the slopes really well but is very slow on the flat stretches. Councilman Olsen wanted to know where the road crew would use the mower. Jim said he would use it on the flat roads like 1500 South, 500 East, and around mail boxes and sign posts. He thought this would save them on time and maintenance. Mayor Baker wanted to know why they were going down so far into the bar ditches. Jim said it makes the roads look nicer. Jim had two bids on the mower decks and said the specs are the same on both. Jim said he would be using funds from **10-60-750** for the purchase. Kenneth Reynolds **moved** to approve the purchase if Jim has the money. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper asked the Council for approval to expend funds to move the road millings from 2500 South to Larry Allred's yard in Maeser. Jim said they would like to store the asphalt there and have Mr. Allred take care of the asphalt until they can use the millings to repair 650 East in High Country. Councilman Kitchen wanted to know if they move the millings to the Allred's if they are committing to have Larry Allred do the future work. Jim said Mr. Allred is the only one in the area who works with the hot mix asphalt. Jim said the City's dump truck doesn't hold as much as the belly dump trucks and hiring someone else to move the millings would allow the road crew time to work on other projects. Jim stated the expenditure would come from "B" road maintenance. Jim presented the Council with three bids for the work. Jim said Allred's will store the asphalt for now and he will try and budget the repairs to 650 East in next year's budget. Robert Hall **moved** to approve the bid from KW Trucking to move the asphalt. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***A P P R O V A L T O
T R A N S P O R T R O A D
M I L L I N G S T O L A R R Y
A L L R E D ' S Y A R D***

Jim Harper said he obtained a bid from B.H.I. to remove the utility pole on the Highway. Jim said it is the pole that is beginning to rot and the one they were using for the Christmas decoration across the highway. Jim said he spoke with Strata after he received the bid from B.H.I. and was told they would remove the pole free of charge. Jim said the road department will provide the traffic control for Strata and requested permission to begin the work at 4:00 in the morning to minimize traffic disruption. Jim said they will coordinate this with the police department in order to get it done. Robert Hall **moved** to have Strata take down the pole and the road crew and police to provide traffic control. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***BID TO REMOVE UTILITY
POLE***

Jim Harper asked the Council for approval to hire someone to clean the drain boxes in the City. Jim said the road crew has not had the time to adequately clean all of the drain boxes. Jim said it is getting late in the season and this has not been done. Jim said he received one bid at a rate of \$275 an hour and he estimated it would take at least sixteen hours. Mayor Baker wanted to know what the road crew had planned in September and why they couldn't do the boxes then. Jim said they wanted to be ready for snow season by hauling more sand. Mayor Baker wanted to know if that was going to take the whole month of September. Jim said his crew could do about four to six boxes a day and if they hire it done they could have all of the boxes done in about two days. Jim said they have about sixty-four boxes. Councilman Kitchen wanted to know if they wanted to see how August goes before making a decision. Jim said it has been a wet year and they have been very busy with the weeds. Councilman Kitchen wanted to know if the funds are in the budget. Jim said he does have the budget for it. Dennis Long **moved** to approve the amount requested. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***REQUEST TO APPROVE
EQUIPMENT RENTAL
FOR DRAIN BOXES***

Robert Roth petitioned the Council to vacate the lots known as Tuscany Condos on 500 East. Mr. Roth has purchased the property and will be using it for a single family dwelling.

***MOTION TO VACATE
TUSCANY CONDOS***

Gordon Kitchen **moved** to approve the petition to vacate Tuscany Condos Subdivision. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Chris Hoem presented the changes he made to the City Housing Plan. Councilman Kitchen said he read through it and appreciated the language used, he said it sounds more like it is the City's plan. Councilman Kitchen asked if questions seven and eight on page thirteen needed to be removed or reworded because the City does not collect impact fees. Chris said he could make those changes. Gordon Kitchen **moved** to approve the Housing Plan with the corrections discussed. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Council members received a road cut request from Backhoe Supremo to cut the road at 1903 East 1700 South. The road cut is for a sewer hook up to a new home. Gordon Kitchen **moved** to approve the road cut at 1903 East 1700 South. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Councilman Long told the Council that he would like to pave all the way around his house. He thought about the area on the west side of his property potentially being the future 1000 East road. Councilman Long said he approached the Mayor and Craig Blunt about giving the City the road easement in exchange for a portion of the cost of the pavement. Councilman Kitchen wanted to know how much of the neighbor's property to the west they would be going onto. Councilman Long said he didn't think too much. Councilman Kitchen wanted to know if he would be giving the City a 30' easement from the neighbor's fence line. Councilman Long said it would be about 25'. Mayor Baker wanted to know if Councilman Long would be good with the 30'. He said he would. Mayor Baker said the agreement would be for the City to help pay for the asphalt back to the fence in exchange for the 30' easement. Councilman Olsen **moved** to execute the easement with the Long's in exchange for asphalt on the west side of their home. Robert Hall **seconded** the motion. Councilman Long said he understands that Craig told him they would do 16' of asphalt. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Abstain

MOTION TO MOVE INTO A CLOSED SESSION

ROAD CUT REQUEST

EASEMENT AGREEMENT WITH DENNIS LONG

Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Councilman Kitchen pointed out that the City will now be responsible for that easement. He said only 16' of it will be asphalted and the City will need to maintain the rest of the 30' easement.

Councilman Kitchen said the Recreation District will be conducting an online public survey. Councilman Kitchen wanted to make sure the residents of Naples City have an opportunity to respond to the survey and wanted to discuss ways to get the information out. Councilman Olsen suggested sending a flyer home through the school system. Councilman Kitchen said sometimes that is not very effective. Councilman Kitchen said the Recreation District is trying to update their Master Plan and wants feedback on what is of interest to the citizens. Mayor Baker said the City could do a single page flyer and send it out. Councilman Kitchen thought they might also be able to involve the scouts as part of their citizenship in the community badge. Dan Olsen **moved** to authorize the expenditure of up to \$250 for an informational flyer. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 9:15 p.m. Robert Hall **seconded** the motion. The meeting was adjourned.

RECREATION DISTRICT SURVEY

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 11th DAY OF AUGUST 2011

BY: _____

ATTEST: _____